

THE JURY IN THE HALL-MILLS CASE MUST DECIDE ON THE EVIDENCE—SUCH AS IT IS!

THREE of four accused persons are on trial for their lives in Somerville, N. J. They were arrested and indicted as a result of a newspaper campaign of vilification and accused of murder in print long before they were brought to the bar of justice.

The editor and the reporter who "smoked up" and promoted this murder propaganda, in type and lurid pictures, are now faced with the fact that jealous gossip will not stand the test under oath in a court of law.

For weeks a jury has been listening to the evidence—the flimsiest, the hollowest evidence ever gathered together on which to put four persons on trial for their lives. *If these four persons are acquitted, the newspaper which accused them of murder will have to pay the fiddler. It will face a series of criminal libel suits unprecedented in the annals of journalism.*



JUDGE CLEARY

If a mistrial in this case is declared, and the jury is not permitted to render its opinion, after thousands upon thousands of dollars have been spent to stage this circus, the prisoners on trial will be under a cloud for the rest of their natural lives. *But if there is justice in the land, the jury will be permitted to speak.*

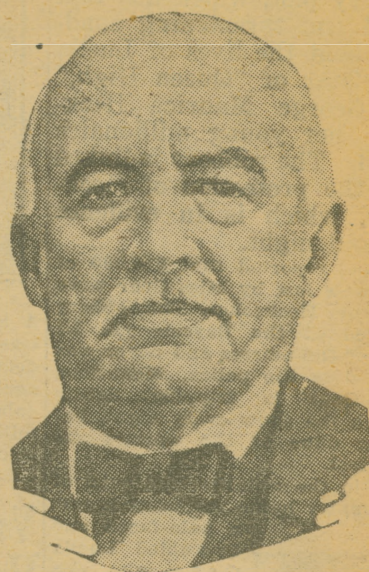
One thing is certain: The four accused in this case will never be tried again on the present evidence.

The reporter who was given \$15,000 by his editor to work up this case into a "sure-fire circulation stunt" now sees the handwriting on the wall. He discovers that a silent-footed small town hotel landlord has been listening at the keyhole of the room occupied by the jury. Through the keyhole comes the news that the jury, reflecting public opinion, is not inclined to convict.

The reporter writes this information to the judge.

Why? Because a mistrial is exceedingly desirable to those who started this nightmare.

If the persons accused of this crime are given a clean bill of health, the long-nosed Sherlocks who have promoted and abetted this abortion of justice will be discredited for years to come. If a mistrial is granted, those who lighted this fuse will be able to stem the avalanche against themselves.



JUDGE PARKER

IF THE EVIDENCE IN THIS CASE HAS CLEARED MRS. HALL, THE STEVENS BROTHERS AND HENRY CARPENDER, LET THE JURY SAY SO!

IS THIS A PROSECUTION OR A PERSECUTION?

If the editor and the reporter who blew this thing up have to pay the price by changing their line of business and selling shoestrings on a windy street corner, that price will be small indeed to compensate for the torture and anguish of mind these prisoners have had to undergo, if they are innocent.

Old-fashioned justice says a man is presumed to be innocent until he is proven guilty. In the Hall-Mills case, the accused were vilified, attacked and branded as murderers by a Hearst newspaper even before they were arrested. The cry was even taken up by a Boston Hearst newspaper guided along the same lines.

In the name of justice, in the name of humanity, let the jury trying this case decide, one way or another. The public already has made up its mind.

Simpson Loses Fight To Obtain Hall Mistrial

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the case in their room while the door was open.

"I might as well try my case before twelve trees," Simpson told the court. "The trees will bud and bloom; these jurors never will. The day after the case opened these jurymen said they wouldn't convict if the murder had been done before their eyes. This case has been a pink tea; a port wine drunk."

Bitter opposition to Simpson's attempt to nullify the proceedings



Senator Case



R. H. McCarter

which already have cost taxpayers and individuals upwards of \$1,000,000 was entered by Senator Clarence Case of defense counsel.

"This action indicates very poor sportsmanship on the part of the special prosecutor," said Case. "We have gone through a four weeks' trial, and the strain and expense have been terrific."

"The mistrial is sought on the last

day. The events referred to are old. They must have been long known to the state. Simpson has been asleep.

"Mr. Van Doren is a partisan of Jane Gibson. He is an eavesdropper and as cross-grained as a hickory knot. The jurymen are human. They naturally would discuss this case among themselves. Everybody in this courtroom formed an opinion of Mrs. Gibson, and there is nothing unusual if the jurymen have done likewise. I submit there is nothing in all this that would justify a mistrial."

Simpson, before the session was a minute old, informed the court he desired to make a motion, and asked that the jury be excused. Instantly, Robert H. McCarter, chief defense counsel, was on his feet.

"The motion obviously refers to the actions of the jury, and I believe it should hear what is said," declared McCarter.

Simpson Angered

Angrily Simpson turned upon his elderly opponent and exclaimed:—"I wish you wouldn't be so rude!"

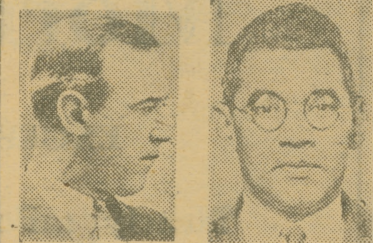
Justice Parker decided in favor of the prosecution and the twelve men in whose hands rest the fate of Mrs. Frances Stevens Hall and her brothers, Willie and Henry Stevens, filed from the room.

"I want to move for a mistrial on the ground of the misconduct

of the jury," Simpson then began. "I have affidavits to prove my contentions which may be briefly divided under three heads.

"The first is that jurors were asleep, at least two of them, during some of the trial and paid no attention to the testimony.

"Secondly, failure to guard the jury properly as is the custom in homicide cases in this state. At



Capt. Harry Walsh

times, the jurors were under no guard at all and two of them were in consultation with the defense counsel.

"Thirdly, the manifest hostility of some of the jurors, one of whom said that I—and I beg the court's pardon for using such language—was a ——— lying little ——— and he wouldn't believe any testimony produced by me."

Called Him "Names"

Simpson then drew forth a mass of affidavits which his investigators had obtained during the past forty-eight hours.

The first was signed by Ray Kryn, a reporter, who swore that on various occasions he had seen Juror No. 2 (John W. Young) nodding and apparently asleep.

Frank Barnhardt, brother-in-

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Straton Approves Hotel Owner for Baring Jury

By REV. JOHN ROACH STRATON, D. D.

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In the midst of the charges and counter charges, criminations and recriminations of the Hall-Mills murder case, there have been one or two high points in which unselfishness, love of country and devotion to duty rose above prejudice, preconceived ideas and sordid selfishness.

We have, perhaps, a supreme illustration of this better side in the

case of Gilbert A. Van Doren, the proprietor of the Colonial Hotel at Somerville, who wrote a letter to the court alleging, so he admitted, that he had inadvertently overheard the jury giving expression to certain sentiments which proved, if they are true, that they have really prejudged this case, despite their solemn oath not so to do, before all the evidence, the arguments of attorneys and the charge of the court as to the law was before them.

If it is really established before the court that these things are true, then beyond any question the jury ought to be discharged and the individuals in it, who are guilty of violating their solemn oath, ought to be punished to the limit.

This should be done not merely



Dr. John R. Straton

on account of the heavy expense of the case, and the enormous amount of time and labor which have been expended upon it, but above all because of the tremendous publicity which the case has been given and, therefore, the incalculable harm which will be done by such a travesty upon justice as this thing would be.

If the situation is handled with strength and decision, one service would come out of this anticlimax, to offset at least in part the harm that will be done by it, and that is the emphasis which it will put not only upon the duty of jury service, but also the sacred importance of rightly discharging the functions of a juror.

Truth Should Be Bared

But, whatever else may come of this new turn, it is certainly true that Mr. Van Doren deserves all praise for what he has done. Many wrongdoers today get off scotfree from well-merited punishment because of the reluctance of citizens to inconvenience themselves

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